Dixit

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST.) NO.29036 OF 2007
WITH
CIVIL APPLICATION NO.6669 OF 2007
AND
CIVIL APPLICATION NO.6670 OF 2007
IN
L.C. SUIT NO.7789 OF 1994

The Municipal Corporation of Greater Bombay ...Applicant
V/s.
Shamsuddin Mohammed Halim & Ors. ...Respondents

Mr.A.Y. Sakhare with Mr.J.J. Xavier, Advocates, for the Applicant.

CORAM : ABHAY S. OKA, J.
DATE : 20TH DECEMBER, 2007.

P.C.:

1. Not on board. Taken on board.

2. The learned Senior Counsel appearing for the applicant states that First Appeal against the impugned order may not be maintainable. He, therefore, seeks permission to withdraw Civil Application No.6669 of 2007 and Appeal with liberty to file appropriate proceedings for challenging the impuged order. The application is accordingly dismissed as withdrawn with liberty as prayed. The order impugned will not be acted upon till 15th January, 2008 to enable the applicant to file appropriate proceedings.

3. In view of dismissal of the Appeal, the Civil Application No.6670 of 2007 does not survive and the same is disposed of accordingly.

[ABHAY S. OKA, J.]